

# **Voters First Advisory Commission**

## **Public Hearing**

**Monday, August 20, 2007**

**University of RI, Memorial Union, Atrium I, Kingston, RI**

### **Commission Members Present:**

**Secretary of State A. Ralph Mollis**

**Senator June Gibbs**

**Ken McGill, Pawtucket Board of Canvassers**

**Bob Kando, RI Board of Elections**

**Sue Stenhouse, Governor's Office**

**Jan Ruggiero, Director, Secretary of State's Elections Division**

**Roger Harris, RI Vote Project**

### **Staff Members Present:**

**Paul Caranci, Deputy Secretary of State**

**Mark Welch, Esq.**

**Pamela Lombardi, Administrative Assistant**

**Chris Barnett, Communications Director**

**Bob Graziano, Administration**

**Rob Rock, Civics Division**

**Johanna Petracca, Spanish Interpreter**

**Mike Narducci, Elections Division**

### **General Public Present:**

**18 public members in attendance**

## **Summary of Hearing:**

**Chairman Mollis opened the hearing at 6:43 P.M. with an explanation of the purpose of the hearing, an explanation of the 10-point reform program, an introduction of the Commissioners and an explanation of how to reach the Commission with comments.**

**In addition, Chairman Mollis provided the rules under which the hearing would be conducted.**

**Finally, Chairman Mollis introduced Representative John Patrick Shanley, Jr. of South Kingstown and former Representative Rodney Driver, both of whom attended the hearing.**

### **Barbara Fontaine**

- Supports cleanup of the voter rolls. Her nephew lived at her house but moved 4 years ago. She still gets political mail at her house addressed to him.**
- Favors photo ID. Someone from another state couldn't believe we already didn't have it.**
- For privacy she would like to see booths back to back and further apart.**
- Canvassing zone should be greater than 50'.**
- Training of poll workers should be uniform and those who don't attend the entire training shouldn't be allowed to work. Training should be better and there should be job descriptions for poll workers.**

- No excuse absentee might lead to greater fraud. Casino supporters trucked people to polls and told them how to vote straight ticket just so they could vote for casino. No excuse might exacerbate that problem.
- Both citizenship and residency should be confirmed at registration.
- Closing the polls early will eliminate some voters. A few people do vote after 8:00.
- Straight ticket voting is undemocratic. It encourages people not to think. Most states have done away with it.
- Public (financing) shouldn't (be used to) match PAC donations, only personal donations.
- Should lessen time required for disaffiliation.

Commissioner Gibbs noted that the issue of party lever was raised when non-partisan school committee candidates found out that they did not receive a vote when people used the party lever.

Fredericka Athenas –

- Would like to see educational CD be available to everyone.

Commissioner Ruggiero noted that it already is available to anyone who requests it.

Russ Matuszek – Proxy Delegate for the Coalition of Neighborhood Assoc. (CONA)

- Eligibility To Vote and Residency Requirements: Since Narragansett

is a community of college students, transient vacationers, and snowbirds who "summer" here and live elsewhere during the off-season, this topic is of highest concern to our permanent residents. The potential for election fraud and vote cancellation is extremely high because of the ambiguity of the "domicile" requirements set forth by RIGL 17-1-3.1. Section (4) (b) lists 13 items of prima facie evidence of residency by way of vehicle registration, tax returns, credit card statements, bank records, etc, but does not prescribe if one, some, or all of these 13 items are required as proof of residency. Section (4)(b) needs to be amended to read "All of the following shall be considered..."

- **Registered Voter List Availability:** While we applaud the Secretary of State's offering for sale the voter registration list and voter history list for \$25 each, RIGL 17-6-5 provides that such lists are only available to political parties and candidates. Local canvassing authorities are given an exception to that rule by RIGL 17-6-8. This law needs to be amended to allow the sale of such lists to PACs, public interest organizations, and the public at large. (If some other title of RIGL addresses this issue, please advise).

- **Vital Information Disclosed:** While RIGL 17-6-5 in item #2 above only allows for the voter's name, street address, city, party affiliation, and district # to be circulated to parties and candidates, RIGL 17-9.1-15 requires that the entire voter registration card be made available for public inspection at all times. Information displayed on this registration card can be useful to identity thieves, such as date of birth and last 4 digits of SSN. RIGL 17-9.1-6 prescribes that the name,

address, date of birth, signature, and other certifications and declarations be present on the card, but nothing specifically requires a driver's license # and/or last 4 digits of SSN to be on the card, other than, perhaps, administrative law set forth by state board of elections. 17-9.1-6 needs to be amended to prohibit the use of any portion of the SSN. We presume that the confidentiality requirement set forth by 17-9.1-15 (b) only applies to things such as domestic violence victim's right not to be tracked by her stalker (RIGL 17-28). This section needs to be amended to make the registration card a non-public vital record, since even the Secretary Of State is not allowed to give out a person's date of birth, driver's license #, and the SSN under previously mentioned RIGL 17-6-5 at the beginning of this paragraph. (Section (b) reads "and nothing more.")

- Voting Anonymity Compromised: While RIGL 17-19-3 (1)(i) requires that voters cast their ballots in secrecy, section (iv) of this chapter provides for an "external counter" requirement on the optical scan precinct counting unit. There is a potential for an unscrupulous poll worker to "count up from the bottom" of the ballots once inside the counting unit and determine a voter's paper marking ballot by monitoring and recording the matching external counter readout of that person. RIGL needs to be amended to make it a felony for anyone to violate someone's anonymity and the law should further require that the external counter not be visible to anyone until the polls close.

- Checkers, Runners, & Watchers: Under RIGL 17-19-22, only representatives from the Democratic and Republican parties can assume these roles. The law needs to be amended to allow PACs,

referendum advocates, and non-partisan candidates the same privileges.

- Favors photo ID. If it is offered free, it is not a poll tax.
- The party lever works both ways. It helps some and hurts some.

Secretary Mollis said that any plans for a photo ID will include distribution of a free ID to those who don't have one.

**Rep. John Shanley – South Kingstown**

- There are over 100 people registered from 100 Lower Campus Road. Students register here to vote in presidential elections, but don't vote for other candidates. At their polling place there were 233 votes cast for State Senate. The other polling places recorded votes of 1088, 1134, 912, and 1217. All mail delivered to that address comes back.
- Polls should close at 8:00 PM. Most other states and jurisdictions do.
- There seems to be an adversarial relationship between the State Board of Elections, the Secretary of State and the local Board of Canvassers. Local Boards should be given authority to plan their own election and then submit plan for BoE and SoS approval.

Commissioner Kando noted that the State Board of Elections is visiting all local Boards and they are offering to work with the Board in planning for election needs.

**Rodney Driver**

- Supports reducing required time to change party from 90 days to 29 days. Only 30 days are required to register to vote, but you are penalized if you have voted before and want to disaffiliate.
- Eliminate the party lever. Many local candidates get swept into or out of office based upon the performance of the person at the top of the ticket.
- Voter handbooks should allow pro and con arguments to be presented based upon established rules. If legislation fails, can the Secretary do this as a matter of policy?
- Only individual, not PAC contributions should be subject to public matching funds.

### **Evelyn Wheeler**

- Narragansett poll worker
- Supports shorter hours to avoid mistakes
- Voter roll cleanup is the most important thing. State Department of Health and Municipal Clerks should work together on this.
- Supports Photo ID. People are surprised to learn that we don't already require it. They try to present an ID when they vote.
- Eliminate straight party ticket. It is unfair to candidates and the public.
- Checkers at the polls can be a distraction. They should be checked and required to stay behind the line. Some voters object to their name being called out.
- Booths are already private, don't need to change them.

## **Joan Garceau**

- In the 2006 primary she signed in to vote under protest. She does not want to have to declare a party. She wanted to vote for a Republican in one race but a Democrat in another.**
- All candidates, regardless of party, should be listed on one ballot and anyone can vote for 1 candidate for a position.**

**Senator Gibbs and Chairman Mollis engaged in a discussion regarding the merits of separate primaries. Chairman Mollis believes that it preserves the integrity of the process so that members of one party can't vote for the weaker candidate of the other party. Senator Gibbs believes that there may be merit to Garceau's proposal.**

## **Max Zapata**

- Secretary of State should plan an educational system to encourage people to get involved in voter matters. He works with people in the disability community and sees their potential, but they need to be educated.**

**Commissioner Harris noted that some people choose not to be educated on voter issues. Some would rather stay home and let someone else do it for them.**

**Chairman Mollis gave closing remarks, asked the Commission members to research best practices and begin meeting with their**



subcommittees and scheduled a Commission Workshop for \*Wednesday, September 5, 2007 at 1:00 P.M. at a location in the State House to be determined. The Chairman adjourned the hearing at 8:30 P.M.

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- WORKSHOP IS SCHEDULED FOR TUESDAY, SEPTEMBER 4TH
- 1:00 PM
- ROOM 135/RI STATE HOUSE